

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CHARLES HICKS (AIS# 246241),

Plaintiff,

v.

ALABAMA DEPARTMENT OF
CORRECTIONS, et al.

Defendants.

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CIVIL ACTION NO.
2:07-CV-142-MHT

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**DEFENDANT'S MOTION TO EXTEND TIME
TO FILE SPECIAL REPORT AND ANSWER**

COMES NOW the Defendant, Prison Health Services (hereinafter "PHS") and respectfully requests that this Honorable Court extend the time period which this Defendant has to file its Answer and Special Report in this action by fourteen (14) days, up to and including April 11, 2007. As grounds for this Motion, Defendant shows to the Court as follows:

1. A brief extension of time will in no way prejudice any party nor will it unduly delay the adjudication of this matter.

2. On or about February 16, 2007, counsel for the Defendant received a copy of the Hicks case and this Court's previously entered Order requiring the Defendant to file a Special Report and Answer on or before March 28, 2007. The Defendant is in the process of assembling the appropriate records and doing the necessary investigation into this claim in order to properly address all issues within the confines of that Special Report and Answer.

3. Counsel for the Defendant currently has a jury trial set for Monday, April 2, 2007, and has been devoting a large part of his time preparing for this trial and has not had adequate

time to properly prepare a thorough Special Report and Answer. However, a brief extension of time will in no way prejudice any party nor will it unduly delay the adjudication of this matter.

WHEREFORE, all premises considered, this Defendant respectfully requests an extension within which to file its Special Report and Answer, said Special Report and Answer to be filed on or before April 11, 2007.

Respectfully submitted,

/s/ PAUL M. JAMES, JR.

Alabama State Bar Number JAM017

Attorney for Defendant

Prison Health Services, Inc.

RUSHTON, STAKELY, JOHNSTON &
GARRETT, P.A.

P. O. Box 270

Montgomery, AL 36101-0270

Telephone: (334) 206-3148

Fax: (334) 262-6277

E-mail: pmj@rsjg.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served by U.S. Mail
this the 28th day of March, 2007, to:

Charles Hicks (AIS# 246241)
P. O. Box 220410
Deatsville, AL 36022

The Clerk of Court, using the CM/ECF system will send notification of this filing to the
following:

Greg Biggs, Esq.
Assistant Attorney General
Alabama Department of Corrections
Legal Division
P. O. Box 301501
Montgomery, AL 36130

/s/ PAUL M. JAMES, JR. (JAM017)
Attorney for Defendant
Prison Health Services, Inc.